

**UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE: Brian Adams

Debtor(s)

Limosa, LLC

Movant

v.

Brian Adams

Respondent

Ronda J. Winnecour, Trustee

Additional Respondent

BK. NO. 20-23110 GLT

CHAPTER 13

STIPULATION AND ORDER

AND NOW, come the undersigned parties, by and through their respective counsel, and enter into the follow Stipulation:

WHEREAS Movant is Limosa, LLC and is the holder of a mortgage executed on April 24, 2006 in the original principal amount of \$31,111.00 on the premises located at 707 Willow Street, Connellsville, PA 15425 (the "Property"). Said Mortgage was last assigned from Argolica, LLC to Movant on March 17, 2021 and recorded on March 23, 2021 as Instrument Number 202100003047.

WHEREAS Movant's foreclosure proceedings by reason of non-payment of the monthly mortgage payments were instituted by Movant regarding the Property (docket # 2583 of 2019 GD) filed in the Court of Common Pleas of Fayette County, Pennsylvania.

WHEREAS, pursuant to said proceedings, a sheriff's sale was held on October 15, 2020 and the Property was sold to Movant's predecessor in interest, Anthium, LLC (the Plaintiff in the foreclosure action, docket # 2583 of 2019 GD).

WHEREAS the Debtor filed the instant bankruptcy petition on November 2, 2020.

WHEREAS the Debtor filed a Petition to Set Aside Sheriff's Sale on December 10, 2020 in the Court of Common Pleas of Fayette County, Pennsylvania.

WHEREAS an order of court requires Plaintiff to stay any enforcement of the Judgement.

WHEREAS, the parties enter into this agreement to provide for limited relief from the automatic stay to allow the parties to litigate the Petition to Set Aside the Sheriff's Sale.

AND NOW, it is hereby stipulated by and between the undersigned as follows:

1. The automatic stay is terminated as it affects the interests of the Movant with respect to Debtor's real property at 707 Willow Street, Connellsville, PA 15425, for the limited purpose of allowing the parties to litigate the Petition to Set Aside the Sheriff's Sale in the Court of Common Pleas of Fayette County, Pennsylvania.

2. If the in the Court of Common Pleas of Fayette County confirms the sheriff sale of the Property held on October 15, 2020, and the Debtor's have exhausted all appellate procedures, the automatic stay against the property is hereby lifted.

3. If the Court of Common Pleas of Fayette County orders the sheriff sale of the Property held on October 15, 2020 be set aside, the automatic stay remains in place.

Consented to by:

/s/ Mark B. Peduto

Mark B. Peduto, Esq., PA ID 62923
Calaiaro Valencik
938 Penn Avenue, Ste 501
Pittsburgh, PA 15222
Phone: 412-232-0930
Email: mpeduto@c-vlaw.com

/s/ Maria D. Miksich

Maria D. Miksich, Esq., PA ID 319383
KML Law Group, P.C.
701 Market Street, Suite 5000
Philadelphia, PA 19106
Phone: (412-430-3589)
Email: mmiksich@kmlawgroup.com

It is hereby ORDERED that the parties' Stipulation be and hereby is APPROVED.

By the Court,

J.